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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,928	08/27/2003	Benjamin T. Gomez	47079-0228	6114
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JENKENS & GILCHRIST, P.C. 225 WEST WASHINGTON SUITE 2600 CHICAGO, IL 60606			EXAMINER KARKHANIS, AASHISH	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,928

Applicant(s)

GORNEZ ET AL.

Examiner

Aashish Karkhanis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☒ Claim(s) 20-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/27/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 20 and 21 are objected to because of the following informalities: Claim 20 may not depend from future Claim 21, and Claim 21 may not depend from itself. Appropriate correction is required. Both Claims have been treated as dependent from Claim 19 for purposes of examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue (U.S. Patent 5,752,881).

Regarding Claims 1 and 8, Inoue discloses a gaming machine having an improved game display comprising: a plurality of extendable displays (col. 8, lins. 52 – 59; where symbols on a pulley and belt system extend into and out of view of player during the course of a game) each having an indicium (fig. 11, elem. 92b), each of the plurality of extendable displays having a first position behind an obstruction, each of the plurality of extendable displays further having a second position observable to a player (col. 1, lins. 24 – 28; where a reel game machine has a reel with a number of symbols and a display window which is capable of displaying only a subset of symbols all symbols at one time), a drive mechanism selectably engageable to each of the plurality

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of extendable displays (col. 5, lins. 45 – 55, where a computer selects and controls each drive mechanism independently of other drive mechanisms in a game machine), and a central processing unit for selecting one of the plurality of extendable displays (col. 5, lins. 46 – 49), the central processing unit further for signaling the drive mechanism to translate the selected extendable display between the first position and the second position (col. 5, lins. 50 – 52; where a motor moves a reel so that a first symbol which may be outside of a player's view may be translated through reel rotation so that it moves into a player's view at the end of a game).

Regarding Claims 13 – 14, 16 and 19, Inoue discloses a method for providing an improved game display for a gaming machine comprising: locating a plurality of extendable displays behind an obstruction in the game display (col. 3, lins. 62 – 64; where a display window shows an obstructed view of each reel), each of the plurality of extendable display having an indicium (col. 4, lins. 3 – 5), selecting one of the plurality of extendable displays with the central processing unit and signaling a drive mechanism with the central processing unit to extend the selected extendable display into the field of view of a player (col. 7, lins. 16 – 18; where each of reel is sequentially serially selected and a symbol which may not have initially been extended into a display window is extended into a display window).

Regarding Claim 23, Inoue discloses a gaming machine having an improved game display comprising: an extendable display having an indicium (fig. 11, elem. 92b), the extendable display further having a first position out of the field of view of a player (col. 1, lins. 24 – 28; where a reel game machine has a reel with a number of symbols

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and a display window which is capable of displaying only a subset of symbols all symbols at one time), the extendable display further having a second position partially in the field of view of a player (fig. 7, elem. 20), the extendable display further having a third position in the field of view of a player (fig. 7, elem. 81), a drive mechanism connected to the extendable display (fig. 6, elem. 40a), and a central processing unit for signaling the drive mechanism to translate the extendable display from the first position to the second position, the central processing unit further for signaling the drive mechanism to translate the extendable display from the second position to the third position, whereby the player is unable to fully view the indicium until the extendable display is in the third position (col. 7, lins. 16 – 18; where a spinning of the reel only allows less than all indicia to be visible at one time, and where a processor must move a reel into a position where a certain indicium may be viewed during the course of a spin, and where a display window will fully show some indicia, partially show other indicia, and fully obstruct some indicia that would have otherwise been visible to a player).

Regarding Claims 2 – 3 and 15, Inoue discloses a gaming machine wherein the game display has an aperture aligned with the second position of the extendable display for allowing the player to view the extendable display in the second position (col. 3, lins. 62 – 64; where a viewing window is an aperture provided to display indicia that have been selected by a game machine computer), and wherein the first position is behind an obstruction (col. 1, lins. 24 – 28, where a viewing window is not large enough to show all indicia that would have been visible to a player without a viewing window present).

Regarding Claims 4 – 5, 9 – 10, 17 – 18 and 21 – 22, Inoue discloses a gaming machine wherein the drive mechanism rotates the extendable display between the first position and the second position (col. 5, lins. 50 – 52; where a motor moves a reel so that a first symbol which may be outside of a player's view may be translated through reel rotation so that it moves into a player's view at the end of a game), or the drive mechanism linearly translates the extendable display between the first position and the second position (fig. 11, elem. 91; where an alternate embodiment of a reel using pulleys allows a display to be extended linearly across a display behind a display window in a reel game).

Regarding Claim 6, Inoue discloses a gaming machine wherein the extendable display is a flat-panel display for displaying the indicium (col. 1, lins. 17 – 23; where the use of a video display including a flat panel display to simulate reels or other gaming device components is well known in the art).

Regarding Claim 7, Inoue discloses a gaming machine wherein the extendable display is a scroll mechanism having a plurality of indicia (fig. 11, elem. 91; where a band containing all indicia is scrolled by drivers), each of the plurality of indicia individually selectable (col. 7, lins. 16 – 18; where each of reel is sequentially serially selected).

Regarding Claim 11, Inoue discloses a gaming machine wherein the drive mechanism comprises a plurality of shafts concentrically oriented (fig. 5, elems. 17, 18; where a plurality of reels with incorporated shafts for directly connecting to a plurality of motors are concentrically arranged within a reel unit assembly), and a plurality of motors

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(fig. 6, elems. 29a, 29b), each of the plurality of motors for driving one of the plurality of shafts, each of the plurality of shafts connected to at least one extendable display (fig. 5, elems. 17, 18; where shafts are incorporated into extendable reel displays and are each connected to a motor).

Regarding Claim 20, Inoue discloses a method further comprising determining a game outcome (col. 7, lins. 33 – 37), wherein the game outcome determines the selected extendable display (col. 7, lins. 39 – 49; where a big win indicates that all reels have had identical symbol and color arrangements selected, and a small win indicates that either matching symbols or matching colors have been selected on each reel).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (U.S. Patent 5,752,881) in view of Richards (U.S. Patent 3,913,922).

Regarding Claim 12, Inoue discloses a gaming machine with a plurality of extendable displays (col. 1, lins. 24 – 28), which are linearly translated (fig. 11, elem. 91; where an alternate embodiment of a reel using pulleys allows a display to be extended linearly across a display behind a display window in a reel game).

Inoue does not disclose a drive mechanism comprising a plurality of solenoid valves, each solenoid valve connected to one of the extendable displays for linearly

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translating a display. However, Richards discloses a plurality of solenoid valves, each solenoid valve connected to one of the extendable displays for linearly translating a display (***, where a solenoid brake valve working with other mechanical devices linearly translates and properly positions a reel). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the stepper motor based method of linearly translating an extendable display as disclosed by Inoue with the method of linearly translating plural reels using solenoid valves and additional motors as taught by Richards in an analogous reel game apparatus, in order to provide more accurate control of a reel game.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,395,111 A: Game machine with solenoid actuators.

U.S. Patent 5,984,782 A: Game machine.

U.S. Patent 6,142,875 A: Game machine with solenoid actuators.

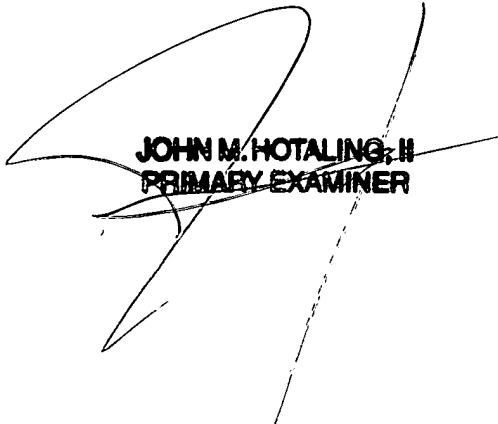
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is 571-272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached on (571) 272-4438. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ARK


JOHN M. HOTALING, II
PRIMARY EXAMINER